IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

TUESDAY, THE TWENTY FIRST DAY OF DECEMBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MR JUSTICE N.V. RAMANA

-

WRIT PETITION No. 23821 of 2004

Between:

Nidumoulu Satyanarayana, S/o. Venkanna,
R/o. MOrtha, Undrajavaram Mandal,

West Godavari District. ..... PETITIONER

AND

1 District Panchayath Officer-cum-Election Authority under
Gram Panchayat Act, West Godavari District, Eluru.
2 District Sub-Election Officer-cum-Revenue Divisional Officer
Kovvur, West Godavari District.
3 Election Officer-cum-Mandal Parishad Development Officer,

Undrajavaram Mandal, West Godavari District.
4 State I Officer-cum-Mandal Agricultural Officer, Undrajavaram,
West Godavari District.

.....RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the affidavit filed herein the High Court will be pleased to issue a Writ, order or direction, more particularly one in the nature of Writ of Mandamus, declaring the action of the Respondents in adopting the electoral roll of the State Assembly Constituency without preparation, publication of the draft and finalization as per the Rules farmed under G.O.Ms.No. 254 dated 04-8-2000 and in conducting the elections to the casual vacancy to 4th Ward, deriving all the voters of the 4th Ward the right to vote by reconstituting the Wards, as illegal and contrary to Sections 10 and 11 of the Andhra Pradesh Panchayat Raj Act, 1994, and further

direct the Respondents to conduct the election to the casual vacancy in the 4th Ward as per the voters list at the time to ordinary elections in the year 2001 subject to such additions and deletions of voters.

Counsel for the Petitioner : Mr.M.V.DURGA PRASAD

Counsel for the Respondents : G.P. FOR PANCHAYAT RAJ & RURAL DEV.

The Court made the following :

ORDER:

Heard the learned counsel for petitioner and the learned Government Pleader for Panchayat Raj.

It is submitted by the learned Government Pleader and admitted to by the learned counsel for petitioner that the subject matter of this writ petition is squarely covered by the Full Bench judgment of this Court in W.A.No. 1221 of 2004 dated 26.10.2004.

In the circumstances, following the judgment passed in W.A.No.1221 of 2004 dated 26.10.2004 and for the reasons mentioned therein, this writ petition is also dismissed by and in terms thereof. While communicating this order, a copy of the judgment delivered in W.A.No.1221 of 2004 dated 26.10.2004 shall be annexed.

N.V.RAMANA, J

Date: 21.12.2004

DA

To

1 The District Panchayath Officer-cum-Election Authority under
Gram Panchayat Act, West Godavari District, Eluru.

2 The District Sub-Election Officer-cum-Revenue Divisional Officer, Kovvur, West Godavari District.
3 The Election Officer-cum-Mandal Parishad Development Officer,

Undrajavaram Mandal, West Godavari District.
4 The State I Officer-cum-Mandal Agricultural Officer, Undrajavaram, West Godavari District.

5 Two CCs to the G.P. for Panchayat Raj, High Court Buildings, Hyderabad (OUT).

6 Two CD copies.